

McMarten, T

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
DENNIS KOESTERER,

Plaintiff,

-against-

WASHINGTON MUTUAL, INC., *et al.*,

Defendants.
-----X

Case No. 07 Civ. 09801 (CM)

STIPULATION AND [PROPOSED] ORDER

IT IS HEREBY STIPULATED AND AGREED by the undersigned counsel that the time within which defendants may answer, move against or otherwise respond to the Complaint in the above-captioned action is extended to and including the later of: (i) sixty days from the date of this Order; or (ii) thirty days from the date the United States Judicial Panel on Multidistrict Litigation rules on the pending motion to transfer this action to the U.S. District Court for the Western District of Washington; *provided, however*, that if any amended or superseded complaint is filed prior to the expiration of the time limits set out in clauses (i) and (ii), defendants shall have at least thirty days from the date of filing of any such amended or superseded complaint.

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<p>USDS SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: <u>12/4/07</u></p>

No prior extensions of time have been granted in this matter, and all parties consent to this request.

Dated: November 30, 2007

SIMPSON THACHER & BARTLETT LLP

By Barry R. Ostrager
Barry R. Ostrager
Mary Kay Vyskocil
David Woll
425 Lexington Avenue
New York, New York 10017
Telephone: (212) 455-2000
Facsimile: (212) 455-2502

-and-

Robert J. Pfister
1999 Avenue of the Stars, 29th Floor
Los Angeles, California 90067
Telephone: (310) 407-7500
Facsimile: (310) 407-7502

*Attorneys for Washington Mutual, Inc. and, for
the limited purpose of entering into this
Stipulation, all other Defendants*

WOLF POPPER LLP

By James A. Harrod
James A. Harrod
845 Third Avenue
New York, New York 10022
Telephone: (212) 759-4600
Facsimile: (212) 486-2093

Attorneys for Plaintiff

SO ORDERED.

12/3/07

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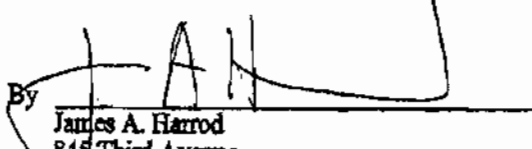
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